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FISCAL IMPACT STATEMENT

LS 6497

BILL NUMBER: SB 71

NOTE PREPARED: Dec 15, 2008

BILL AMENDED:

SUBJECT: Teacher Licensing.

FIRST AUTHOR: Sen. Lubbers

FIRST SPONSOR:

BILL STATUS: As Introduced

**FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL**

IMPACT: State & Local

Summary of Legislation: *Probationary Licenses/Reprimand*- The bill allows the Department of Education (DOE) to convert a teacher's license to probationary status or issue a public reprimand for certain offenses.

Local Notification to SSPI- The bill provides for notification to the State Superintendent of Public Instruction (SSPI) when a teacher is arrested, is convicted, or enters into a diversion program for a felony or misdemeanor.

Immunity for Informants- The bill provides immunity for an individual who notifies the SSPI that a teacher has been arrested or convicted or has entered into a diversion program.

Effective Date: July 1, 2009.

Explanation of State Expenditures: *Probationary Licenses/Reprimand*- The DOE would likely be able to issue reprimands or convert a license to probationary status within their existing level of resources. [The DOE generally revokes, suspends, or denies approximately 15-30 licenses per year.]

Local Notification to SSPI- Additional administrative expenditures would include verification with local law enforcement agencies to confirm notifications on teacher arrests or convictions. Additionally, the DOE would require an update to their application renewal forms and modification to their licensing database to accommodate arrest records. Currently, the DOE does not record arrests. The cost to implement these changes is unknown, and would depend on the number of arrests entered per year.

Background Information- The DOE currently asks the following three questions on license renewal applications concerning criminal activity:

- (1) has the applicant had their license revoked in another state,
- (2) has the applicant been convicted of a felony, and
- (3) has the applicant ever been convicted of a misdemeanor.

Currently, criminal data from the above questions is not necessarily recorded into DOE databases, if not judged egregious enough to deny licensure, such as a DUI conviction that does not involve injury to another person or property.

Therefore, the DOE does not have complete electronic record on the number of licensed individuals that may have an existing conviction for a lesser offense. The DOE currently processes approximately 40,000 applications for teacher license per year.

Inquiries with two large local police jurisdictions were not able to determine a number of arrests on teachers in the past year. Police agencies typically store arrest data by incident number, name, or detailed location of arrest and not by occupation.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: State Superintendent of Public Instruction.

Local Agencies Affected: School corporations, charter schools, local law enforcement agencies, trial courts.

Information Sources: Various local newspapers, U.S. Department of Justice, Mr. Shawn Sriver, DOE, 232-9010; Indianapolis Metro Police Department Arrest Records, 327-3155; Mr. Michael Joiner, Fort Wayne Police public information officer, 260-427-1222.

Fiscal Analyst: Chris Baker, 317-232-9851.